PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number

Complete if Known 10/657,449 Application Number Substitute for form 1449/PTO 09/09/2003 Filing Date INFORMATION DISCLOSURE First Named Inventor Reiley STATEMENT BY APPLICANT (Use as many sheets as necessary) Art Unit 3738 **Examiner Name** Isabella 29914.701.407 of Sheet Attorney Docket Number

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ³ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶		
		IE S970323	06/03/1998	Eskina Developments Limited				
		WO 95/05783 A1	03/02/1995	Martin, Jean-Raymond		X		
		WO 98/56301 A1	12/17/1998	Reiley, Mark A. et al.				
		WO 99/05995 A1	02/11/1999	Gordon, Dennis P.				
		WO 99/60957 A1	12/02/1999	Nuvasive, Inc.				
		WO 99/65412 A1	12/23/1999	Pioneer Laboratories, Inc.				
		WO 00/62684 A1	10/26/2000	Nuvasive, Inc.				
		WO 01/97721 A2	12/27/2001	Kyphon Inc.				
		WO 02/089712 A1	11/14/2002	Gerber, David et al.				
		WO 03/020143 A1	03/13/2003	Synthes				

		and the same of th	
Examiner Signature	/Christopher Prone/	Date Considered	09/22/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ³See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST .3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information, Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.